IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2009 OF 2007
IN
CRIMINAL APPEAL NO. OF 2007

The State of Maharashtra ...Applicant
Vs.
Suhas Ganpat Shinde ...Respondent

Mr. A.R. Patil, Addl. P.P for State/Applicant
Suhas Ganpat Shinde, Respondent in person present in Court.

CORAM: DR. S. RADHAKRISHNAN &
SMT.ROSHAN DALVI, JJ.
DATED: 28TH SEPTEMBER, 2007

P.C.

1. Heard the learned A.P.P for the State and the Respondent is personally present. We have perused the trial Court's Judgment dated 2nd February, 2007 by the learned Ad-hoc Additional Sessions Judge, Solapur acquitting the Respondent for the offence punishable under Sections 376, 312,417 and 506-II of the Indian Penal Code.

2. Perusal of Judgment clearly indicates that the victim/prosecutrix was aged more than 27 years and she

was continuously co-habiting with the accused for more than 5 years and she was residing with him. Over and above, it appears that she had undergone twice medical termination of pregnancy during the aforesaid period.

3. Under the aforesaid facts and circumstances we do not find any illegality or perversity in the impugned order. The Appeal is totally devoid of merits. We are not inclined to grant leave to appeal. Hence, the application for leave to file appeal stands dismissed. The Appeal also stands dismissed.

(SMT. ROSHAN DALVI, J.) **(DR. S. RADHAKRISHNAN, J.)**